

F. JAMES SENSENBRENNER, JR., Wisconsin
CHAIRMAN

HENRY J. HYDE, Illinois
GEORGE W. GEKAS, Pennsylvania
HOWARD COBLE, North Carolina
LAMAR S. SMITH, Texas
ELTON GALLEGLY, California
BOB GOODLATTE, Virginia
STEVE CHABOT, Ohio
BOB BARR, Georgia
WILLIAM L. JENKINS, Tennessee
CHRIS CANNON, Utah
LINDSEY O. GRAHAM, South Carolina
SPENCER BACHUS, Alabama
JOHN N. HOSTETTLER, Indiana
MARK GREEN, Wisconsin
RIC KELLER, Florida
DARRELL E. ISSA, California
MELISSA A. HART, Pennsylvania
JEFF FLAKE, Arizona
MIKE PENCE, Indiana
J. RANDY FORBES, Virginia

ONE HUNDRED SEVENTH CONGRESS

Congress of the United States
House of Representatives
COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6216

(202) 225-3951

<http://www.house.gov/judiciary>

December 12, 2002

JOHN CONYERS, JR., Michigan
RANKING MINORITY MEMBER

BARNEY FRANK, Massachusetts
HOWARD L. BERMAN, California
RICK BOUCHER, Virginia
JERROLD NADLER, New York
ROBERT C. "BOBBY" SCOTT, Virginia
MELVIN L. WATT, North Carolina
ZOE LOFGREN, California
SHEILA JACKSON LEE, Texas
MAXINE WATERS, California
MARTIN T. MEEHAN, Massachusetts
WILLIAM D. DELAHUNT, Massachusetts
ROBERT WEXLER, Florida
TAMMY BALDWIN, Wisconsin
ANTHONY D. WEINER, New York
ADAM B. SCHIFF, California

The Honorable John D. Ashcroft
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Attorney General:

I am writing to request that the U.S. Department of Justice appoint an outside special counsel to take over an investigation being conducted by the U.S. Attorney for the Eastern District of Michigan, Jeffrey G. Collins. According to news reports, Mr. Collins is investigating a variety of Democratic Party officials, and I am concerned that the investigation has taken on the appearance of a partisan vendetta and should not be conducted by a politically-appointed U.S. Attorney.

Under the Department's regulations, the Attorney General is required to appoint a special counsel when (1) a "criminal investigation of a person or matter is warranted," (2) the investigation "by a United States Attorney's Office or litigating Division of the Department of Justice would present a conflict of interest for the Department," and (3) "it would be in the public interest to appoint an outside Special Counsel to assume responsibility for the matter." 28 C.F.R. § 600.1 (2002).

Assuming arguendo that a criminal investigation is warranted, it seems abundantly clear that Mr. Collins is investigating a matter that presents a conflict of interest for his office and the Department. According to recent reports, he is exclusively investigating Democratic elected officials. I am aware of no reports that this Republican political appointee, who has close ties to the Michigan Republican Party, is looking into similar allegations of abuses among Republican candidates and officials.

Furthermore, I believe it would be in the public interest to appoint an outside special counsel. Bringing an individual into the matter from outside the government, having no

The Honorable John D. Ashcroft

Page 2

December 12, 2002

allegiance to the Bush Administration, and who has "a reputation for integrity and impartial decision-making, and with appropriate experience to ensure that the investigation will be conducted ably, expeditiously, and thoroughly" could only instill greater public confidence in your investigation. The fact that the investigation, being conducted by a political appointee of a Republican President, is focused on only Democratic campaigns sends the signal that the Department is engaged in a political witchhunt instead of conducting a serious investigation of alleged campaign abuses. Nothing could undermine public confidence in an investigation more than such a striking implication of partisan politics.

I look forward to promptly hearing whether you will appoint a special counsel and, if not, the reason for your decision. Should you have any questions or concerns about this request, please feel free to contact me in my Washington office at (202) 225-5126 or in my Detroit office at (313) 961-5670.

Sincerely,



John Conyers, Jr.
Ranking Member

cc: The Honorable F. James Sensenbrenner, Jr.
Chairman
U.S. House Committee on the Judiciary

The Honorable Daniel J. Bryant
Assistant Attorney General
Office of Legislative Affairs